

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
Amendment of Part 73 of the)	
Commission's Rules to Permit)	Docket No.: MM DOCKET NO. 99-325
The Introduction of Digital Audio)	
Broadcasting in the AM)	
And FM Broadcast Services)	

MOTION TO DISMISS

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As an American consumer, as an electrical engineer, and as a licensed Amateur Radio operator, I would respectfully move for the immediate dismissal of authorization of terrestrial digital In-Band On-Channel (IBOC) DAB (a.k.a. "HD Radio") as proposed by iBiquity Digital Corporation (iBiquity). I suggest this take effect immediately before several stations invest time and money in a potentially flawed broadcasting system on the AM and FM bands.

One of the monumental concerns of the Communications Act of 1934 is in regards to interference. In its current form, the iBiquity DAB/HD Radio system has been shown to cause substantial and nearly continuous interference to adjacent stations in the United States AM and FM broadcast bands, most notably in the AM broadcast band. For this reason alone, all iBiquity IBOC/HD Radio transmissions should cease until such time as iBiquity or other vendors can demonstrate alternative systems that will not result in harmful interference to adjacent stations.

I recognize the efforts iBiquity has put into its AM and FM broadcasting methods, and their unsuccessful attempt to add digital sidecars both in and adjacent to the main analog carrier, but their IBOC/HD Radio system is not yet ready for use on the US broadcast bands in its current form. In addition, anti-trust issues could occur as a result of their single-source licensing issues for this single method of broadcasting. Alternative methods of audio improvements to the broadcast bands MUST be examined before deciding on a single standard, albeit one that causes harmful, mutual interference to adjacent broadcast stations. The report issued by Glen Clark & Associates even admits to this interference on the AM band in their report, which tries to find a way to “bandage” the current IBOC/HD Radio system for use on the AM band at night.

I suggest that the FCC open a period of time (perhaps one year) to allow for competitors to present their methods of improving the reception of AM and FM broadcast radio in the USA. iBiquity, of course, can and should resubmit with a better system (without adjacent channel interference) at the end of this time period as well. During this test period vendors can present alternatives that may also include digital improvements to the RECEIVER in addition to, or in conjunction with various transmission methods. Excellent progress has been made in the development of (digital) DSP-based analog AM receivers that not only receive stereo AM with excellent frequency response and

separation at great distances, but also work while travelling under bridges and overpasses. In addition to this “Omega” reception technology, other companies offer enhancements such as high-speed diversity antenna switching, the Symphony DSP receiver chipsets, DSP ‘digiceivers’ and several other reception-enhancing features. It appears that looking at improvements to receivers was not even considered from what I can tell, as new receiver technologies would not increase adjacent channel interference on the broadcast bands, and in some cases, would put the cost on the receiver end, not on the already cash-poor AM broadcasters. In addition to these many receiver enhancements, it is my opinion that the DRM and Eureka digital systems should also be tested.

I suggest that at the end of this one-year period, that the testing of these new enhancements be conducted by an outside third party (not the NAB, NRSC, or any of the equipment or software vendors). I suggest they test / sample all of the submitted systems on new receivers, as well as their impact to ‘legacy’ home and car radios manufactured within the last 10-20 years (most of which are still in service). Backwards compatibility with ‘legacy’ / ‘heritage’ receivers is a must, and a concern of our national security communications systems.

I urge all of the members of the Federal Communications Commission to refrain from making any permanent ruling regarding potential IBOC/HD Radio broadcasts on the FM and AM bands until after this one-year period of time allowing for several alternate systems to be tested. This will allow iBiquity more time to enhance their system to substantially reduce or eliminate its current harmful interference to adjacent stations. Who knows, iBiquity is so ingenious that they could even write new coding for use with their ‘IBOC/HD’ hardware that could allow AM C-Quam stereo during certain hours, and some revised digital format for the other hours of the day, with the receiver automatically switching. It is my opinion that if the FCC is considering potentially

changing the method of radio broadcasting affecting over 400 million radios, or instituting different receiver standards, then it's only fair that this opportunity should be offered to as many companies as possible to provide the best system to all Americans. It is also my opinion that no FM services be changed until AFTER the AM reception issues are resolved and test, THEN the FCC can require that all "enhanced FM receivers" must also contain the FCC-approved "enhanced AM receiver" standards as well. Please enact this Motion to Dismiss as soon as possible.

Thank you for allowing me to voice my opinions.

Respectfully submitted,

John Pavlica, Jr.